IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Eric J. Horvitz et al.
Serial No.:	10/021,621
Confirmation No.:	5221
Filed:	December 12, 2001
For:	CONTROLS AND DISPLAYS FOR ACQUIRING PREFERENCES, INSPECTING BEHAVIOR, AND GUIDING THE LEARNING AND DECISION POLICIES OF AN ADAPTIVE COMMUNICATIONS PRIORITIZATION AND ROUTING SYSTEM
Examiner:	P. A. Shaw
Art Unit:	2444

Certificate of Electronic Filing Under 37 CFR 1.8
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: June 29, 2009   Signature: _____
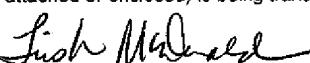
RESPONSE TO NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the Notice of Non-Compliant Appeal Brief dated April 27, 2009 Applicants herewith supply a replacement Section V, Summary of Claimed Subject Matter.

The Notice indicates that in the Appeal Brief transmitted on August 21, 2008, a correction is necessary because Independent claim 23 is not Summarized. The Brief as filed incorrectly identified claim 23 under a heading for claim 25. This error has been corrected in the replacement section.

1700215.1

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. M1103.70715US00.

Dated: June 29, 2009

Respectfully submitted,
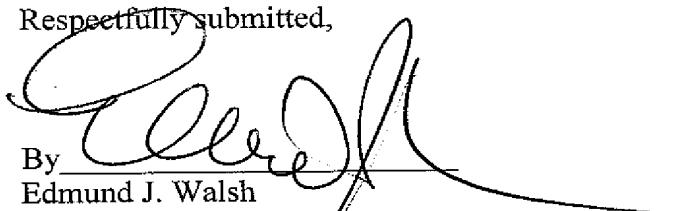
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V. Summary of Claimed Subject Matter (37 C.F.R. §41.37(c)(1)(v))

A. Independent Claim 1

Independent claim 1 recites a user interface to manage electronic messages, comprising:

a display providing one or more display objects associated with delivery of one or more messages, the messages being automatically classified according to a respective priority value; and (*See e.g.*, page 11, lines 5-26)

one or more inputs associated with the display objects to facilitate adaptation of the user interface to one or more preferences of a user, the one or more inputs includes at least one or more user preferences for assigning a priority value to a voice message based upon a predetermined priority associated with a communication channel from which the message is received. (*See e.g.*, page 11, lines 26 to page 12, line 4; page 19, lines 20-26)

B. Independent Claim 23

Independent claim 23 recites a method associated with message delivery, comprising:

generating a priority associated with a message, wherein the message is assigned a predetermined priority associated with a communication channel from which the message is received; (*See e.g.*, page 19, lines 20-26, page 48, line 30 to page 49, line 1)

determining an expected loss of non-review of the message at a current time based at least on the message priority and an expected rate of lost opportunity for the user resulting from non-review of the message as a function of time; (*See e.g.*, page 40, lines 15-28; page 45, lines 1-3)

determining an expected cost of outputting the message at the current time; and (*See e.g.*, page 46, lines 2-3; page 46, line 28 to page 47, line 14)

alerting a user of the message in response to determining that the expected loss is greater than the expected cost. (*See e.g.*, page 45, line 28 to page 46, line 4)

C. Independent Claim 40

Independent claim 40 recites a user interface to manage electronic messages, comprising:

means for providing graphical displays associated with one or more messages that have been automatically classified according to a priority of the respective messages; and (*See e.g.*,

page 11, lines 20-21)

means for configuring the graphical displays according to one or more user preferences associated with the priority and delivery of the one or more messages, the one or more user preferences includes one or more deferral policies that are given as bounds such that a message of a particular priority will not wait more than a predetermined amount of time before being displayed to a user. (*See e.g.*, page 11, lines 5-26; page 16, lines 2-12)

D.   Independent Claim 41

Independent claim 41 recites a method for delivering messages to a device, comprising:

scheduling a period when one or more user profiles are activated; (*See e.g.*, page 17, line 23 to page 18, line 1)

configuring at least one set of parameters for the one or more profiles; (*See e.g.*, page 14, lines 12-30; line page 17, lines 24-27; page 23, lines 4-9)

assigning priority values to one or more messages, wherein a message is assigned a priority value based upon a predetermined priority associated with a communication channel from which the message is received; and (*See e.g.*, page 19, lines 20-26, page 48, line 30 to page 49, line 1)

delivering the one or more messages based at least in part on the priority values, the profile that is activated, and the at least one set of parameters. (*See e.g.*, page 11, lines 12-14; page 14, lines 14-26; page 21, lines 17-26)

E.   Independent Claim 55

Independent claim 55 recites a user interface for an adaptive prioritization and routing system, comprising:

one or more controls and displays to at least one of acquire user preferences, inspect behavior, and guide learning and decision policies of the adaptive prioritization and routing system, wherein the user preferences includes a user defined amount of time of user inactivity of a message retrieval device, wherein the user defined amount of time is a threshold where messages are held back from delivery to the message retrieval device when the threshold is exceeded ; and (*See e.g.*, page 11, lines 5-30; page 6, lines 13-15, page 21; lines 24-25)

a user interface associated with the one or more controls and displays that facilitates inspection, control and learning associated with alerting and routing prioritized messages. (*See e.g.*, page 23, line 26 to page 24, line 24)

F.   <u>Independent Claim 78</u>

Independent claim 78 recites a user interface for an adaptive prioritization and routing system, comprising:

one or more controls and displays to acquire message priority settings associated with the adaptive prioritization and routing system ; and (*See e.g.*, page 11, lines 5-26)

a user interface associated with the one or more controls and displays that provides at least a user adjustable control of an amount of messages received *via* the message priority settings and a feedback directed to the user relating to the settings, the feedback includes a quantity indicating the number of messages that would have been transmitted to a user within a specified bound in time based upon the priority settings (*See e.g.*, page 17, lines 3-22)